

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DIANA COVERT,

Plaintiff,

vs.

HOME DEPOT, INC.,

Defendant.

Case No. 2:09-cv-01203-PMP-PAL

ORDER

(Mtn to Withdraw - Dkt. #24)

This matter is before the court on the Motion to Withdraw (Dkt. #24) filed November 30, 2010. Darwin M. Rygg III of Henness & Haigh seeks to withdraw as counsel of record for Plaintiff Diana Covert. The Motion represents that there has been an irreconcilable breakdown in communication between Plaintiff and her counsel. Counsel has had difficulty obtaining discovery responses from his client, and Plaintiff failed to appear at a scheduled mediation. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” This case was removed to this court on July 2, 2009. Trial is currently set for May 24, 2011.

Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

1. The Motion to Withdraw as Counsel of Record (Dkt. #24) is GRANTED.
2. Plaintiff shall have until **December 21, 2010** in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that she will be proceeding *pro se*.
3. Failure to comply with this Order may result in a recommendation to the District Judge that the Complaint be dismissed.

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Diana Covert
P.O. Box 274
San Marcos, CA 92079


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE